

ESTTA Tracking number: **ESTTA746403**

Filing date: **05/13/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Killer Queen, LLC		
Entity	limited liability company	Citizenship	California
Address	15260 Ventura Boulevard Sherman Oaks, CA 91403 UNITED STATES		

Attorney information	Daniel I. Schloss Greenberg Traurig, LLP 200 Park Avenue, 38th Floor New York, NY 10166 UNITED STATES schlossd@gtlaw.com Phone:212-801-2256
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Registration Subject to Cancellation

Registration No	3958994	Registration date	05/10/2011
Registrant	MULTICULTIGIRL LLC 61 DRIFTWOOD DRIVE PORT WASHINGTON, NY 11050 UNITED STATES		

Goods/Services Subject to Cancellation

Class 003. First Use: 2011/01/20 First Use In Commerce: 2011/01/20 All goods and services in the class are cancelled, namely: Cosmetics; Fragrances for personal use; Hair care preparations; Non-medicated bath preparations; Non-medicated skin care preparations; Soaps for personal use
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Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	MADLOVE BEAUTY Cancellation.pdf(74556 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Daniel I. Schloss/
Name	Daniel I. Schloss

Date	05/13/2016
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re U.S. Trademark Registration No. 3,958,994
for the mark MADLOVE BEAUTY

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Killer Queen, LLC	:	Cancellation No. _____
	:	
Petitioner,	:	
	:	
v.	:	
	:	
Multicultigirl LLC,	:	<u>PETITION TO CANCEL</u>
	:	
Respondent.	:	
-----X	:	

Petitioner Killer Queen, LLC, a limited liability company organized and existing under the laws of the State of California, believes it is being damaged by the continued registration of Registration No. 3,958,994 for the mark MADLOVE BEAUTY (the “Registration”), and hereby petitions for cancellation of same.

GROUND FOR CANCELLATION:
ABANDONMENT UNDER 15 U.S.C. § 1064(3)

1. Upon information and belief, Respondent, Multicultigirl LLC (“Respondent”) is a limited liability company, organized and existing under the laws of the State of Delaware, with an address at 61 Driftwood Drive, Port Washington, New York 11050.

2. Respondent is the record owner of Registration No. 3,958,994 for the mark MADLOVE BEAUTY for “cosmetics; fragrances for personal use; hair care preparations; non-

medicated bath preparations; non-medicated skin care preparations; soaps for personal use” in Class 3 (the “Subject Goods”).

3. Upon information and belief, Respondent does not use in commerce and has not used in commerce the mark MADLOVE BEAUTY for the Subject Goods for a period in excess of three years. Consequently, Respondent has abandoned its rights in the mark MADLOVE BEAUTY.

DAMAGE TO PETITIONER

4. On January 9, 2015, Petitioner filed Application Serial No. 86/499,313 (“Petitioner’s Application”) for the mark KATY PERRY’S MAD LOVE for “eau de parfum, body mists, body lotions, shower gels, body sprays and natural deodorant sprays.”

5. Petitioner’s Application has been refused registration by the Office under Section 2(d) based on the Examining Attorney’s citation of the Registration. The continued presence on the register of the Registration and the statutory rights derived by Respondent therefrom constitute a barrier to registration of Petitioner’s Application, to the damage of Petitioner.

WHEREFORE, Petitioner prays that Respondent’s Registration No. 3,958,994 be cancelled on the grounds of abandonment.

Respectfully submitted,

KILLER QUEEN, LLC

Dated: May 13, 2016

By: /Daniel I. Schloss/
Daniel I. Schloss
of Petitioner’s Attorneys
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New York, New York 10166
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Petition to Cancel has been served by first class mail, postage prepaid, this 13th day of May 2016 upon Respondent at the following address of record for Respondent shown in the TSDR database for Registration No. 3,958,994:

Multicultigirl LLC
61 Driftwood Drive
Port Washington, New York 11050

/Daniel I. Schloss/
Daniel I. Schloss